

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ANNIE L. HARTFIELD,

Plaintiff,

-vs-

Case No. 04-72872
Hon: AVERN COHN

SPECIALTY FUNDING, INC., et al.,

Defendants.

SETTLEMENT ORDER

I.

This is a property case. Plaintiff, a homeowner, refinanced her home to avoid foreclosure. Defendant, Specialty Funding, assisted plaintiff in the refinance. Defendant Gary Haus purchased the home from plaintiff, sold it back to her on land contract and then mortgaged that home to Aames Home Loan Mortgage. Haus sold the home to plaintiff for \$72,000.00. Haus obtained a mortgage from Aames in the amount of \$52,600.00. Haus paid off the existing mortgage of \$40,358.00. Plaintiff challenged the overall transaction as fraudulent.

II.

On May 22, 2006, the Court held a status conference at which all parties except that neither Haus nor his counsel were present. Haus' counsel received notice of the conference and was directed to have Haus present. The parties present advised the Court that the case had been settled by agreement, including Haus' agreement. The settlement was placed on the record. Simultaneously with the entry of this Order, the transcript of the Record of Settlement Agreement has been sent to the parties including Haus.

III.

The settlement is essentially as follows:

1. Specialty Funding will pay off the mortgage to Aames in full.
2. Haus in exchange for a \$3,500.00 payment will convey the home to Specialty Funding.
3. Specialty Funding will sell the home to plaintiff for \$52,672 on a fifteen (15) year land contract with a thirty (30) year amortization. The land contract calls for a \$349.95 per month payment including interest at 7% and principal. Plaintiff will be obligated to pay taxes and insurance.

IV.

The parties are ordered to implement the settlement within thirty (30) days. If Haus fails within thirty (30) days to deed the home to Specialty Funding in exchange for the \$3,500.00 payment, Specialty Funding shall deposit the \$3,500.00 with the Clerk of the Court and the Court will on notice enter a judgment which shall operate as a conveyance of the home to Specialty Funding.

V.

The legal description of the home is:

Lot 201, St. Mary's Subdivision in the City of Detroit, Wayne County, Michigan, as recorded in Liber 59, Page 81 of Plats, Wayne County Records; Ward 22, Item 60078, more commonly known as 17144 Murray Hill, Detroit, MI 48235.

Any objections to this order must be filed within five days.

SO ORDERED.

Dated: May 25, 2006

s/Avern Cohn
AVERN COHN
UNITED STATES DISTRICT JUDGE

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Proof of Service

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, May 25, 2006, by **ordinary mail**.

s/Julie Owens
Case Manager
(313) 234-5160